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BY THE KING.

A Proclamation forbidding all Levies of Forces without His
MAJESTIES expresse pleasure. signified under His Great Seal,
and all Contributions or Assistance to any such Levies.



Whereas, under pretence that We intend to make War against the Parliament (the contrary whereof is notoriously known to all that are here, and as We hope by this time apparent to all other Our Subjects, as well by Our Declaration of the sixteenth of June, as by the Testimony of all Our Nobility and Councill, who are here upon the place) And by colour of the Authority of both Houses of Parliament (a major part whereof are now absent from *London*) by the contrivance of some few evil persons, disguising and colouring their pernicious Designs and Hostile Preparations, under the plausible names of, *The preservation of publick Peace, and defence of Us, and both Houses of Parliament, from Force and Violence*, It hath been endeavoured to raise Troops of Horse and other Forces.

And for that purpose they have prevailed, not onely to prohibit Our own Moneys to be paid to Vs, or to Our use, but, by the name and Authority of Parliament, to excite Our Subjects to contribute their Assistance to them, by bringing in Moneys, Plate, or underwriting to furnish and maintain Horses, Horsemen, and Arms; And to that purpose certain Propositions or Orders (as they are styled by them) have been printed, whereby they have endeavoured to ingage the Power and Authority of Parliament (as if the two Houses, without Vs, had that Power and Authority) to save harmlesse all those that shall so contribute, from all Prejudice and Inconvenience that may befall them by occasion thereof.

And although We well hope that these Malignant Persons (whose Actions do now sufficiently declare their former Intentions) will be able to prevail with few of Our good people, to contribute their Power and Assistance unto them; Yet, lest any of Our Subjects (taking upon trust what those Men affirm) without weighing the grounds of it, or the danger to Vs, themselves, and the Commonwealth, which would ensue thereupon, should indeed believe (what these persons would insinuate, and have them to believe) That such their Contribution and Assistance would tend to the preservation of the publick Peace, and the Defence of Us and both Houses of Parliament, and that thereby they should not incur any danger.

We, that We might not be wanting (as much as in Us lieth) to foreshew and to prevent the danger which may fall thereupon, Have hereby thought good to declare and publish unto all Our loving Subjects, That by the Laws of the Land, the power of raising of Forces or Arms, or levying of War for the defence of the Kingdome, or otherwise, hath alwayes belonged to Vs, and to Vs onely, and that by no Power of either, or both Houses of Parliament, or otherwise contrary to Our personall Commands, any Forces can be raised, or any War levied.

And therefore, by the Statute of the seventh yeare of Our famous Progenitour, King *Edward* the first, whereas there had been then some variances betwixt him and some great Lords of the Realm, and, upon Treatie thereupon, it was agreed, that in the next Parliament after, provision should be made, That in all Parliaments, and all other Assemblies which should be in the Kingdome for ever, that every man should come without Force and Armour, well and peaceably: Yet at the next Parliament when they met together to take advice of this Businesse (though it concerned the Parliament it self) the Lords and Commons would not take it upon them, but answered, That it belonged to the King to defend force of Armour, and all other force against the Peace at all times when it pleased Him, and to punish them which should offend according to the Laws and Usages of the Realm, and that they were bound to aid Him, as their duty was at all seasons when need should be. And accordingly in Parliament, in after times, The King did issue His Proclamations, prohibiting bearing of Arms by any person, in, or near the Citie where the Parliament was, excepting such of the Kings Servants as He should depute, or should be deputed by his Commandment, and also excepting the Kings Ministers. And by the Statute of *Northampton*, made in the second yeare of King *Edward* the third, It is enacted, That no man, of what condition soever he be (except the Kings Servants in His presence, and His Ministers in executing the Kings Precepts, or of their Office, and such as be in their company assisting them) go, nor ride armed by night or day in Fairs, Markets, nor in the presence of the Justices, or other Ministers, nor in no part elsewhere.

And this power of raising Forces to be solely in the King, is so known and inseparable a right to the Crown, That when, in the reigne of King *Henry* the eighth, there being a sudden Rebellion, the Earl of *Shrewsbury*, without Warrant from the King, did raise Arms for the suppression thereof, and happily suppressed it, yet was he forced to obtain his Pardon. And whereas the Duke of *Gloucester*, and other great Lords, in the eleventh yeare

of King *Richard* the second (upon pretence of the good of the King and Kingdome, the King being then not of age, and led away, as they alledged, by evil Councillours) did raise Forces, and by them mastred their Adversaries. In that Parliament (such as it was, for it was held and kept with force, how good use soever hath been made of the Presidents therein) they procured a speciall Act of Pardon for their raising of Men, And that those Assemblies should not be drawn into example for the time to come.

And as no Man can levy War, or raise Forces without the King, so much lesse against the personall Commands of the King opposed thereunto: For, by the Statute of the 25 yeare of King *Edward* the third (which is but declaratory of the old Law in that point) it is Treason to levy War against the King in his Realm: Within the construction of which Statute, it is true (which was said in the late Declaration, under the name of both Houses of Parliament, of the 26 of May last) levying War (in some sense) against the Kings Authority (though not intended against His Person) is levying War against the King: And therefore the raising of Forces, though upon pretence of removing of some evil Councillors from about the Queen, hath been adjudged Treason, in the Case of the late Earl of *Essex*, in the Reigne of Queen *Elizabeth*, and in divers other Cases. (And We wish all Our Subjects to consider, Whether, if Men shall be raised contrary to our Proclamation, and against Our Will, it be not against our Authority.) But it is as true (and was never denied, but in that Declaration) That the raising of Forces against the Kings personall Command (being no Ideot, nor Infant, incapable of understanding to Command) being accompanied with His presence, is, and is most properly levying of War against the King; For if it be a sufficient pretence for raising of Men against the Kings person, that it is for the defence of the Kings Authority, and of his Kingdome (though against His expresse Command and Proclamation) the Irish Rebels will have colour for their horrid Rebellion; For they say (though it be notoriously false) It is for the defence of the Kings Authority, and of His Kingdome. And *Wat Tyler*, and *Jack Cade*, and *Kett* the Tanner, wanted not publick Pretences, which were perhaps just causes of Complaints, though not of raising of Men.

* Cook 7.
Repor. Cal-
wins case.

And though these persons have gone about subtilly to distinguish betwixt Our Person and our Authority, as if, Because Our Authority may be where Our Person is not, that therefore, Our Person may be where Our Authority is not; We require all Our good Subjects to take notice of the Law (which is in Print and full Force) * That their Allegiance is due unto the naturall Person of their Prince, and not to his Crown or Kingdome distinct from His naturall Capacitie. And that by the Oath of Ligeance at the Common Law (which all persons above the age of twelve years are, or ought to be sworn unto) they are bound to be true and faithfull, not to the King onely as King, but to our Person as King CHARLES, and to bear Vs truth and faith of Life and Member, and earthly Honour; and that they shall neither know nor heare of any ill or damage intended to Vs that they shall not defend. And that when, in the time of King *Edward* the second, *Hugh Spencer* being discontented with the King, caused a Bill to be written, wherein was contained amongst other things, That Homage and the Oath of Allegiance was more by reason of the Kings Crown (that is, His Kingdome) then of his Person; and that seeing the King cannot be reformed by suite of Law, if the King will not redresse and put away that which is ill for the Common People, and hurtfull to the Crown, That the thing ought to be put away by force, And that His Lieges be bound to Govern in aid of Him, and in default of Him; he was condemned for it by two Parliaments, and perpetually banished the Kingdome.

We have made mention of these Cases, not so much to clear Our Right, That We alone have the power of raising Forces, and none of Our Subjects, either in Parliament or out of Parliament, against our Will, or Personall Command (which We think no man that hath the least knowledge in Our Laws, and is not led away by private Interests, and may speak his mind freely, will deny, nor was ever questioned in any Parliament before this time) as to let them see how dangerous the effect and consequence of raising of Forces, without Vs, may be unto Vs, and to the Common-wealth, under pretence of Defence of both.

And though We cannot doubt of the Affections of Our good Subjects, considering their interest is involved with Ours, and how precious the peace of the Kingdome is, and ought to be unto them, and that according to the words of the Statute of the eleventh yeare of King *Henry* the seventh, and the eighteenth Chapter, By the duty of their Allegiance they are bounden to serve and assist Vs at all seasons when need shall require.

Yet, to the end that our good Subjects may know what their duty is, and what we expect from them, and that all others, who, through Malice or private Interests, shall be transported beyond their duties, may be left without excuse; We do therefore by this Our Proclamation, charge and command all Our Subjects upon their Allegiance, and as they tender Our Honour and Safetie, and the Peace and Safety of the Kingdome, that they presume not to raise or levie any Horses, Horsemen, or Arms, or any Forces whatsoever, by colour of any Authority whatsoever, without Our expresse pleasure signified under Our great Seal, (other then such as shall be raised, levied, and imprested by the Order, as well of Our Self, as of both Houses of Parliament, according to an Act made this Sessions, intituled, *An Act for the better raising and levying of Souldiers for the present defence of the Kingdomes of England and Ireland* (by Justices of Peace, and otherwise, in such manner as is prescribed in the said Act) or Contribute, or give any Assistance in Money, Plate, finding of Horses, Horsemen, or Arms, or any other wayes, to or for any such Preparation, Levie, or Forces: And that such of Our good Subjects, who through Ignorance have been mis-led to consent or subscribe to any such Levie, Contribution, or Assistance, forthwith, upon publication of this Our Proclamation, desist from continuing such their Contribution or Assistance, or giving any Countenance to any such Levies, at their utmost perils.

And We do likewise straitly charge and command as well all Sheriffs, Justices of Peace, Majors, Bailiffs, Constables, and all other Our Officers whatsoever, That they use their utmost endeavours, as well for publishing this Our Proclamation, as for the suppressing of all Levies, or Forces raised, or to be raised, without or against Our consent: As also all other Our loving Subjects, That they be Attending, Aiding, and Assisting Our said Officers and Ministers therein, as they and every of them will answer it at their utmost perills.

Given at Our Court at YORK, June 18, in the eighteenth yeare of Our Reigne: 1642:

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